

United States District Court
for

District of New Jersey

Amended Petition for Warrant or Summons for Offender under Supervision

RECEIVED
FEB 25 2020
NOEL L. HILLMAN
U.S. DISTRICT JUDGE

Name of Offender: Jonathan Ayala

Docket Number: 12-00391-001

FACTS Number: 63538

Name of Sentencing Judicial Officer: THE HONORABLE JOSEPH E. IRENAS
SENIOR UNITED STATES DISTRICT JUDGE

CASE REASSIGNED ON JANUARY 2, 2019 TO:
THE HONORABLE JEROME B. SIMANDLE
SENIOR UNITED STATES DISTRICT JUDGE

CASE REASSIGNED ON FEBRUARY 11, 2020 TO:
THE HONORABLE NOEL L. HILLMAN
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 06/13/2013

Original Offense: Count One: Conspiracy to distribute heroin, a Class B felony

Original Sentence: 92 months custody; 4 years supervised release; \$100.00 special assessment. The special conditions of alcohol/drug testing and treatment and mental health treatment were also imposed.

Report on Offender under Supervision: On January 2, 2019, the Court approved an "Official Reprimand" in response to a motor vehicle driving traffic ticket.

Violation of Supervised Release warrant: On February 11, 2020, the Court issued a Violation of Supervised Release warrant.

Type of Supervision: Supervised Release

Date Supervision Commenced: 10/13/2017

Assistant U.S. Attorney: To be assigned, 401 Market St., 4th Floor, Camden, New Jersey 08101, (856) 757-5026

Defense Attorney: To be assigned, Federal Defenders Office, 800 Cooper Street, Suite 350, Camden, New Jersey 08102, (856) 757-5341

PETITIONING THE COURT

☒ To Amend the Petition, issued on February 11, 2020

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	The offender has violated the mandatory supervision condition which states 'You must not commit another federal, state, or local crime.'

On February 23, 2020, the Camden County, New Jersey, Police arrested the offender and charged him with possession of crack cocaine and failure to give control dangerous substance to police. He was incarcerated at the Camden County, New Jersey, Jail. The case is pending in the Superior Court of New Jersey, Camden, County.

- 2 The offender has violated the special supervision condition which states '**You must refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and/or the use of alcohol, and must submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you must submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You must abide by the rules of any program and must remain in treatment until satisfactorily discharged by the Court. You must alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The U.S. Probation Office will supervise your compliance with this condition.'**

On January 30, 2020, the offender was referred and scheduled for a February 4, 2020 substance abuse evaluation at Sodat, Camden, New Jersey. Mr. Ayala did not attend his scheduled evaluation as he was a no call/no show for same.

- 3 The offender has violated the special supervision condition which states '**You must refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and/or the use of alcohol, and must submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you must submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You must abide by the rules of any program and must remain in treatment until satisfactorily discharged by the Court. You must alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The U.S. Probation Office will supervise your compliance with this condition.'**

On January 30, 2020, the offender tested positive for cocaine, fentanyl and opiates. Mr. Ayala signed an admission of drug usage form that he used Percocet on January 28, 2020. The urine specimen was sent to the lab which subsequently confirmed the urine specimen lab results were positive for cocaine, fentanyl and opiates.

- 4 The offender has violated the mandatory supervision condition which states '**You must not commit another federal, state, or local crime.'**

On January 21, 2020, the Pennsauken, New Jersey, Police conducted a motor vehicle stop of the offender which resulted in the offender being in possession of five oxycodone pills. He was released pending Court.

The offender was charged with failure to give controlled dangerous substance to police and use/possession with intent to use drug paraphernalia. He failure to appear for a February 4, 2020 hearing in Pennsauken Municipal Court. On February 7, 2020, a warrant was issued with bail of \$1,500 (no 10%).

Respectfully submitted,

John L. Paccione /sa

By: John L. Paccione
U.S. Probation Officer
Date: 02/24/2020

THE COURT ORDERS:

- ☒ The Petition issued on February 11, 2020, is Amended (as recommended by the Probation Office).
☐ The Issuance of a Summons. Date of Hearing: _____.
☐ No Action
☐ Other

Noel L. Hillman

Signature of Judicial Officer

February 25, 2020

Date